



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Order Filed on June 12, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Bed Bath & Beyond, Inc., *et al.*,

Debtors.

Case No.: 23-13359 (VFP)

Chapter: 11

Hearing Date: June 10, 2024

Judge: Vincent F. Papalia

**ORDER ESTABLISHING PROCEDURES RELATING TO SHAREHOLDER'S
MOTIONS FOR REDACTION OF CERTAIN INFORMATION AND APPOINTMENT
OF EQUITY SECURITY HOLDERS COMMITTEE**

The relief set forth on the following pages numbered two (2) through four (4) is hereby
ORDERED.

DATED: June 12, 2024

Vincent F. Papalia
Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Case name: Bed, Bath & Beyond, *et al.*

Case no.: 23-13359 (VFP)

Caption of Order: Order Establishing Procedures Relating to Shareholder's Motions

The Court having held a conference on June 10, 2024 to address notice, scheduling and confidentiality concerns relating to two motions brought by a former shareholder (the "Shareholder") of the former Debtors (the "Former Debtors") in the above-referenced cases to:

(i) redact any information that potentially identifies the Shareholder and (ii) have the Court appoint an equity security holders committee (the "Motions"); and the Court having considered the positions of the various parties that participated in the conference; and pursuant to the inherent authority of the Court to manage its calendar, as well as the authority set forth in 11 U.S.C. §§ 105 and 107 and Federal Rule of Bankruptcy Procedure 9037; it is hereby

ORDERED as follows:

1. The Shareholder, within two (2) business days of entry of this Order, shall: (i) file with this Court a copy of the Motions with his personal identifying information redacted and replaced with the information contained in paragraph two (2) of this Order and (ii) serve copies of the Motions (without any redactions) on counsel for the Plan Administrator (Bradford J. Sandler, Esq.), counsel for the Former Debtors (Emily E. Geier, Esq.) and counsel for the Office of the United States Trustee (Fran B. Steele, Esq.), each by electronic mail. Additionally, also within two (2) business days of the entry of this Order, the Shareholder shall (iii) serve by electronic and regular mail a redacted copy of the Motions on Jeffrey Kurzon who appeared at the June 10th conference and indicated that he represents his father, himself, and certain shareholders.

2. The redacted versions of the Motions filed by the Shareholder with the Court, which will appear on the docket, shall include the name, mailing address, and email addresses that the Shareholder designates for contact and service purposes. The mailing address may be a Post Office box or other similar place to receive mail.

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Case name: Bed, Bath & Beyond, *et al.*

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3. The Clerk of the Court shall file an unredacted copy of the Motions under seal, subject to the provisions of this Order.

4. Counsel for the Plan Administrator, the Former Debtors, and the Office of the United States Trustee shall maintain as confidential and not disclose to any third parties the personal identifying information of the Shareholder, who identified himself as M.L1 at the June 10th conference, subject to further Order of this Court. It is the intention of this Court that all the confidentiality provisions of this Order be considered provisional and subject to modification, in whole or in part, and further proceedings before this Court, as described in this Order.

5. Any objections or other responses to either or both aspects of the Motions, *i.e.*, the confidentiality requested by the Shareholder and the request for the appointment of an equity security holders committee, may be made by any party in interest and must be filed and served on or before June 24, 2024. Any replies to any such objections or responses must be filed and served by June 28, 2024. Any reply by the Shareholder may be filed and served in the same manner as set forth in paragraphs one (1) and two (2), except that the Shareholder shall also submit an unredacted version to the chambers' email which will be filed on the docket under seal.

6. The Court shall conduct a hearing on the Motions on July 9, 2024 at 2:30 p.m. Parties wishing to participate in the hearing may appear in person in court or via CourtSolutions (<https://www.court-solutions.com>).

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7. Any party requesting an adjournment or continuance of any of these dates may do so by submitting Local Form *Adjournment Request* to chambers_of_vfp@njb.uscourts.gov in accordance with D.N.J. LBR 5071-1 with copies of the email provided to all parties identified in paragraph one (1) of this Order.

In re:
Bed Bath & Beyond Inc.
Debtor

Case No. 23-13359-VFP
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

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Form ID: pdf903

Total Noticed: 13

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- ^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 15, 2024:

Recip ID	Recipient Name and Address
db	+ Bed Bath & Beyond Inc., 650 Liberty Avenue, Union, NJ 07083-8107
aty	+ Casey McGushin, 3101 Old Jacksonville Road, Springfield, IL 62704-6488
aty	+ Jacob E. Black, Kirkland and Ellis LLP, 3101 Old Jacksonville Road, Springfield, IL 62704-6488
aty	+ Max M Freedman, Kirkland & Ellis LLP, 300 North LaSalle Street, Chicago, IL 60654-5412

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	^ MEBN	Jun 13 2024 20:59:21	Charles B. Sterrett, Kirkland & Ellis, 300 North LaSalle Street, Chicago, IL 60654-5412
aty	^ MEBN	Jun 13 2024 21:01:15	Derek I. Hunter, Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	Jun 13 2024 20:57:26	Emily E. Geier, Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	Jun 13 2024 21:01:14	Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	Jun 13 2024 21:01:32	Michael A. Sloman, Kirkland and Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	Jun 13 2024 20:57:57	Noah Z. Sosnick, Kirkland and Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	Jun 13 2024 21:01:34	Olivia F. Acuna, Kirkland and Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	Jun 13 2024 21:01:11	Richard U.S. Howell, P.C, KIRKLAND & ELLIS LLP, KIRKLAND & ELLIS INTERNATIONAL LLP, 300 North LaSalle Street, Chicago, IL 60654-5412
aty	^ MEBN	Jun 13 2024 20:57:55	Ross Fiedler, Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643

TOTAL: 9

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities

in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 15, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 12, 2024 at the address(es) listed below:

Name	Email Address
A. Jeff Ifrah	on behalf of Interested Party Federal Insurance Company jeff@ifrahlaw.com
A.J. Webb	on behalf of Creditor Select Consolidated Management LLC awebb@fbtlaw.com, awebb@ecf.courtdrive.com
Aaron Applebaum	on behalf of Creditor CR Mount Pleasant LLC aaron.applebaum@us.dlapiper.com, aaron--applebaum--3547@ecf.pacerpro.com
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Alan J. Brody	on behalf of Creditor JPMorgan Chase Bank N.A. brody@gtlaw.com alan-brody-2138@ecf.pacerpro.com
Alan J. Brody	on behalf of Creditor Alexander's Rego Shopping Center Inc. brody@gtlaw.com, alan-brody-2138@ecf.pacerpro.com
Alan Stuart Maza	on behalf of Interested Party Securities and Exchange Commission mazaa@sec.gov mazaa@sec.gov
Albert Anthony Ciardi, III	on behalf of Creditor The Anna Mscisz Trust aciardi@ciardilaw.com sfrizlen@ciardilaw.com;dtorres@ciardilaw.com
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Allen J Barkin	on behalf of Creditor LOGIXAL INC. abarkin@sbmesq.com sandyr@sbmesq.com
Allen Joseph Underwood, II	on behalf of Creditor 12535 SE 82nd AVE LLC aunderwood@litedepalma.com ajunderwood@ecf.courtdrive.com;grodriguez@litedepalma.com
Allyson Stavis	

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Total Noticed: 13

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